IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.6278 OF 2007

Smt.Kanijabai Razzaq Shaikh : Petitioner
(Orig.Defendant)

V/s.

Mr.Abdul Kadir Ammubhai Momin : Respondent
(Orig. Plaintiff)

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Mr.J. Shekhar i/b. J. Shekhar & Co., for the petitioner.

Mr.S.R.Page for the respondent.

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CORAM : S.A.BOBDE, J.

DATE : SEPTEMBER 26, 2007.

P.C.

After hearing the parties, it is clear that there is no reason to interfere with the finding of fact arrived at by the Courts below that the petitioner failed to deposit the arrears of rent within the time stipulated by law. Hence, the petition is liable to be dismissed and is hereby dismissed. However, on the petitioner's furnishing the usual undertaking signed by the petitioner and other adults staying in the premises in this Court within a period of two weeks from today that they will hand over vacant possession of the premises within a period of six months from today, the respondent shall not take steps to execute the decree for eviction within the aforesaid period of six months.

S.A. BOBDE, J.